



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Satoshi NISHII et al.  
Title: INTAKE SYSTEM OF INTERNAL COMBUSTION ENGINE  
Appl. No.: 10/815,972  
Filing Date: 04/02/2004  
Examiner: Unassigned  
Art Unit: 3747

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

The relevance of documents A10-A13 is described in the present specification.

Document A14 discloses a direct cylinder injection engine, control device and controlling method. Documents A3 and A14 claim priority based on the same first-filed application.

Documents A15-A21 came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A1 and A16 claim priority based on the same first-filed application.

Documents A2 and A17 claim priority based on the same first-filed application.

Documents A6, A13 and A19 claim priority based on the same first-filed application.

English translations of the foreign-language documents are not readily available. However, English language abstracts are provided herewith. The translations of the foreign

language documents have been submitted in compliance with the PTO requirements and therefore the documents should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date JUL 21 2004

By 

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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Application Number</b>	10/815,972
Date Submitted:		<b>Filing Date</b>	April 2, 2004
(use as many sheets as necessary)		<b>First Named Inventor</b>	Satoshi NISHII et al.
Sheet 1 of 1		<b>Group Art Unit</b>	3747
PATENT OFFICE		<b>Examiner Name</b>	Unassigned
JUL 21 2004		<b>Attorney Docket Number</b>	023971-0396

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	6,598,585	B2	SCHWEINZER ET AL.	07-29-2003	
	A2	2002/0078921	A1	KIM ET AL.	06-27-2002	
	A3	6,499,456	B1	NOGI et al.	12-31-2002	
	A4	2004/0065297	A1	SAKAI ET AL.	04-08-2004	
	A5	2004/0065296	A1	ARIMATSU ET AL.	04-08-2004	
	A6	2002/0020389	A1	WOLTERS	02-21-2002	

**U.S. PATENT APPLICATION DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Application Document		Name of Patentee or Applicant of Cited Document	Filing Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number	Kind Code <sup>2</sup> (if known)			
	A7	10/816,001		SAKAI et al.	04-02-2004	
	A8	10/815,974		SAKAI	04-02-2004	
	A9	10/815,969		TOMINAGA et al.	04-02-2004	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A10	JP	2002-54535	A	HITACHI LTD.	02-20-2002		Abs.
	A11	JP	6-159079	A	FUJI HEAVY IND. LTD.	06-07-1994		Abs.
	A12	JP	6-159203	A	FUJI HEAVY IND. LTD.	06-07-1994		Abs.
	A13	JP	2001-193469	A	FEV MOTORENTECH GMBH	07-17-2001		Abs.
	A14	JP	2001-248484	A	HITACHI LTD.	09-14-2001		Abs.
	A15	JP	61-98919	A	MAZDA MOTOR CORP.	05-17-1986		Abs.
	A16	DE	102 04 768	A1	AVL LIST GMBH	08-29-2002		Abs.
	A17	DE	101 63 284	A1	HYUNDAI MOTOR COMPANY	07-25-2002		Abs.
	A18	GB	2 283 058	A	FUJI JUKOGYO KABUSHIKI KAISHA	04-26-1995		
	A19	EP	1 108 878	A2	FEV MOTORENTECHNIK GMBH	06-20-2001		Abs.
	A20	EP	1 223 329	A2	NISSAN MOTOR CO., LTD.	07-17-2002		
	A21	EP	1 006 265	A1	HITACHI, LTD.	06-07-2001		

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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